

**UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF OHIO  
EASTERN DIVISION**

PROGRESSIVE FOODS, LLC,

Plaintiff,

V.

DUNKIN' DONUTS  
INCORPORATED, BASKIN-ROBBINS  
USA, CO., and THIRD DUNKIN' DONUTS  
REALTY, INC.,

Defendants and Plaintiffs-in-  
Counterclaim and Third Party  
Complaint,

V.

EITAN FLANK, MIKE FLANK,  
SHAUL FLANK, JOEL SAUSEN, and  
KEVIN DAUBENMIRE,

### Third Party Defendants.

Case No. 1:07 CV 3424

JUDGE DAVID D. DOWD, JR.

**SUPPLEMENT TO PLAINTIFF'S  
MEMORANDUM IN OPPOSITION TO  
DEFENDANTS' AND PLAINTIFFS-IN-  
COUNTERCLAIM'S MOTION TO  
STAY ENFORCEMENT OF  
JUDGMENT ENTRY PENDING  
APPEAL WITHOUT SUPERSEDEAS  
BOND**

Pursuant to the Court's April 6, 2011 Order, ECF # 224, Plaintiff Progressive Foods, LLC submits the following index of exhibits to Plaintiff's Memorandum in Opposition to Defendants' Motion to Stay Enforcement of Judgment Entry (ECF # 223):

<b>Exhibit / ECF #</b>	<b>Description</b>
A / 223-1	Defendants' November 5, 2009 Corporate Disclosure Statement
B / 223-2	Delaware Sec. of State Information for Dunkin' Donuts Franchising LLC
C / 223-3	Delaware Sec. of State Information for Dunkin' Donuts Franchised Restaurants LLC
D / 223-4	Delaware Sec. of State Information for Baskin-Robbins Franchised Shops, LLC
E / 223-5	Delaware Sec. of State Information for Baskin-Robbins Franchising LLC
F / 223-6	Complaint, Dunkin' Donuts Franchised Restaurants LLC v. Bakery Maestro, Inc., No. 08 Civ. 659 (D.N.J. Feb. 26, 2008).
G / 223-7	Third Dunkin' Donuts Realty, Inc. Certificate of Conversion
H / 223-8	Third Dunkin' Donuts Realty LLC Certificate of Formation
I / 223-9	Assignment and Assumption of Lease between Third Dunkin' Donuts Realty LLC and DB Real Estate Assets I LLC
J / 223-10	Deed Transferring Mentor Site from Third Dunkin' Realty LLC to DB Real Estate Assets II LLC
K / 223-11	Notice of Reorganization of Dunkin' Donuts and Baskin-Robbins
L / 223-12	Notice of Reorganization of Third Dunkin' Donuts Realty, Inc.

Respectfully submitted,

/s/ Thomas R. Brule  
 Thomas R. Brule, Esq. (0060146)  
 BRULE LAW FIRM, LLC  
 80 Berkshire Park Drive  
 Chagrin Falls, Ohio 44022  
 Telephone: (216) 789-4229  
 Facsimile: (216) 916-4744  
 E-mail: [brulel@gmail.com](mailto:brulel@gmail.com)

Dated: April 6, 2011

*Attorney for Plaintiff and Defendants-in  
 Counterclaim*

**CERTIFICATE OF SERVICE**

I hereby certify that a copy of the foregoing was filed electronically on this sixth day of April, 2011 using the Court's electronic filing system. Parties may access this filing through the Court's system.

s /Thomas R. Brule